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November 12, 2020

**By ECF**

Hon Lewis J. Liman,  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 701  
New York, NY 10007

Re: *S.W., et al. v. NYC Dep't of Educ.*, 20-cv-7418 (LJL)  
Joint Request to Waive Initial Pretrial Conference

Dear Judge Liman:

I am attorney for Plaintiffs in the above-referenced action. I write on behalf of all parties to submit the proposed *Civil Case Management Plan* and to jointly request that the Court waive and/or adjourn the November 19, 2020, 11:00am Initial Pretrial Conference (Dkt. No. 5) *sine die*.

By way of background, Plaintiffs commenced this action on September 10, 2020, seeking: (1) attorneys' fees, costs and expenses for legal work in the instant action, as well as for an administrative hearing pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.*; and (2) Defendant's compliance with the terms of Impartial Hearing Officer Gary Peters' Findings of Fact and Decision.

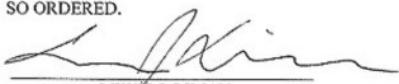
The parties are optimistic that this matter may be resolved through a negotiated settlement and, as such, a pretrial conference at this juncture may be unproductive. Further, it is my understanding based upon my discussions with counsel for Defendant that additional time is required for Defendant to obtain settlement authority from the New York City Comptroller's Office.

The parties agree that if settlement is unsuccessful, there will be limited discovery, if any, in this matter. Rather, the matter should be resolved by dispositive motion.

Accordingly, we respectfully submit the *Civil Case Management Plan* (see Dkt. No. 9) and respectfully request that the Court waive and/or adjourn the November 19, 2020 initial conference *sine die*.

MEMORANDUM ENDORSED. Application GRANTED IN PART. The Initial Pretrial Conference currently scheduled for November 19, 2020 is ADJOURNED and will be held instead on January 6, 2021 at 2:00 p.m.

SO ORDERED.  
11/16/2020

SO ORDERED.  
  
LEWIS J. LIMAN  
United States District Judge

cc: Sharon Sprayregen  
Attorney for Defendant

Respectfully submitted,

/s/ Kevin M. Mendillo  
Kevin M. Mendillo

